UNITED STATES PATENT AND TRADEMARK OFFICE

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10/081,535	02/25/2002	Yukiko Takeda	500.41227X00	4269

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/081,535	TAKEDA ET AL.
	Examiner	Art Unit	
	Tammy T. Nguyen	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *(3)* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>May 16, 2007</u>.

2a)☒ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13,15,16 and 20-24* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13, 15-16, 20-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

Detailed Office Action

1. This action is responsive to the amendment filed on May 16, 2007.

2. Claims **1-13, 15-16, 20-24** are pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims **1-7, 9-13, 15, 20-21** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Hirose et al., (hereinafter Hirose) U.S. Publication

No.2001/0049825A1 in view of Shimadoi et al., (hereinafter Shimadoi) U.S.

Patent No. 6,400,729 further in view of Funaya et al., (hereinafter Funaya) U.S.

Patent No. 6,263,393.

5. As to claim 1, Hirose discloses the invention substantially as claimed, Hirose

discloses including an address translator for connection a network A conforming

to a address system P to a network B conforming to a address system Q, said

address translator comprising: an address translating function for translating an

address conforming to the addressing system P to an address conforming to the

addressing system Q, or vice versa [see Hirose, paragraph 0027] (*the Mac address

is converted from Ma3 to Ma4 and Ma4 to Ma3*); and a detecting function for

detecting a communication conforming to a particular protocol   based on at least

one of information on a destination [see Hirose, paragraph, 0014] (*detecting a

destination of data to be transmitted*); and wherein when said address translator

creates translation information including a correspondence relationship between

addresses in the addressing system P and address in the addressing system Q for

translating, [see Hirose, paragraph, 0027]. However, Hirose does not explicitly

discloses address translator translates, by said address translation function, an

address of the communication data to a layer 3 address corresponding to Layer 3

of the Open System Interconnection (OSI) model; address translation function, an

address of the communication data to a higher Layer address corresponding to a

Layer higher than Layer 3 of the OSI model.

6. In the same field of endeavor, Shimadoi et al discloses (e.g., Protocol conversion

system for data communication between different type of open Network).

Shimadoi discloses address translator translates, by said address translation

function, an address of the communication data to a layer 3 address corresponding

to Layer 3 of the Open System Interconnection (OSI) model; and address

translation function, an address of the communication data to a higher Layer

address corresponding to a Layer higher than Layer 3 of the OSI model [see col.

5, line25 to col. 6, line 6]. Accordingly, it would have been obvious to one of

ordinary skill in the networking art at the time the invention was made to have

incorporated Shimadoi's teachings of Protocol conversion system for data

communication between different type of open Network with the teachings of

Hirose to have address translation function, an address of the communication data

to a layer 3 address corresponding to Layer 3 of the Open System Interconnection

(OSI) model, and to a Layer higher than Layer 3 of the OSI model, for the

·purpose of raising reliability in the transmission and reception of data [see col. 1,

lines 54-55]. However, Hirose does not explicitly disclose header of

communication data.

7. In the same field of endeavor, Funaya discloses (e.g., Bus switch for realizing bus

transactions across two or more buses). Funaya discloses header of

communication data [see Funaya, col.11, lines 45-50, and col.12, lines 59-61](the

transaction cell is composed of a header).

8. Accordingly, it would have been obvious to one of ordinary skill in the

networking art at the time the invention was made to have incorporated Funaya's

teachings of a Bus switch for realizing bus transactions across two or more buses

with the teachings of Hirose to have determining header of communication data,

for the purpose of decreasing the bandwidth of the line between the bus bridge

and the switch module [see Funaya, col.2, lines 63-65).

9. As to claim 2, Hirose does not explicitly discloses the invention as claimed,

further comprising communicating means for communicating with a server

device, wherein said address translator sends said translation information to said

server device, and receives information including said higher Layer address

corresponding to the layer than Layer 3 of the OSI model that has been translated

by said server device.

10. In the same field of endeavor, Shimadoi et al discloses (e.g., Protocol conversion

system for data communication between different type of open Network).

Shimadoi discloses an address of the communication data to a higher Layer

address corresponding to a Layer higher than Layer 3 of the OSI model [see col.

5, line25 to col. 6, line 6]. Accordingly, it would have been obvious to one of

ordinary skill in the networking art at the time the invention was made to have

incorporated Shimadoi's teachings of Protocol conversion system for data

communication between different type of open Network with the teachings of

Hirose to have address translation function, an address of the communication data

to a Layer higher than Layer 3 of the OSI model, for the purpose of raising

reliability in the transmission and reception of data [see col. 1, lines 54-55].

11. As to claim 3, Hirose does not explicitly discloses the invention as claimed,

wherein further comprising a processing part for translating said Layer 3 address

of the communication data.

12. In the same field of endeavor, Shimadoi et al discloses (e.g., Protocol conversion

system for data communication between different type of open Network).

Shimadoi for translating said Layer 3 address of the communication data [see col.

5, line25 to col. 6, line 6].

13. Accordingly, it would have been obvious to one of ordinary skill in the

networking art at the time the invention was made to have incorporated

Shimadoi's teachings of Protocol conversion system for data communication between different type of open Network with the teachings of Hirose to have translating said Layer 3 address of the communicationdata, for the purpose of raising reliability in the transmission and reception of data [see col. 1, lines 54-55].

14. As to claim 4, Hirose discloses the invention substantially as claimed, Hirose discloses, including a method of processing a message comprising: first translation processing for translating information conforming to a first addressing system to information conforming to a second address system [see Hirose, paragraph 0027] (*the Mac address is converted from Ma3 to Ma4*); determination processing for determining whether or not the second portion requires a translation based on at least one of information on a destination [see Hirose, paragraph, 0014] (*detecting a destination of data to be transmitted*); and second translation processing for translating determined to require a translation, from information conforming to the first addressing system to information conforming to the second addressing system [see Hirose, paragraph, 0027] (*the IP address is converted from the global IP address to the private IP address*); However, Hirose does not explicitly discloses address translator translates, by said address translation function, an address of the communication data to a layer 3 address corresponding to Layer 3 of the Open System Interconnection (OSI) model; address translation function, an address of the communication data to a higher Layer address corresponding to a Layer higher than Layer 3 of the OSI model.

15. In the same field of endeavor, Shimadoi et al discloses (e.g., Protocol conversion

system for data communication between different type of open Network).

Shimadoi discloses address translator translates, by said address translation

function, an address of the communication data to a layer 3 address corresponding

to Layer 3 of the Open System Interconnection (OSI) model; and address

translation function, an address of the communication data to a higher Layer

address corresponding to a Layer higher than Layer 3 of the OSI model [see col.

5, line25 to col. 6, line 6]. Accordingly, it would have been obvious to one of

ordinary skill in the networking art at the time the invention was made to have

incorporated Shimadoi's teachings of Protocol conversion system for data

communication between different type of open Network with the teachings of

Hirose to have address translation function, an address of the communication data

to a layer 3 address corresponding to Layer 3 of the Open System Interconnection

(OSI) model, and to a Layer higher than Layer 3 of the OSI model, for the

purpose of raising reliability in the transmission and reception of data [see col. 1,

lines 54-55].

16. However, Hirose does not explicitly disclose an information in port contained in a

header of the message and the first part from information, information in the

second portion.

17. In the same field of endeavor, Funaya discloses (e.g., Bus switch for realizing bus

transactions across two or more buses). Funaya discloses header of

communication data an information in port contained in a header of the message

and the first part from information, information in the second portion [see Funaya,

col.11, lines 45-63, and col.12, lines 59-61](the transaction cell is composed of a header) and (see Funaya multiple portions of data in fig.23).

18. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Funaya's teachings of a Bus switch for realizing bus transactions across two or more buses with the teachings of Hirose to have an information in port contained in a header of the message and the first part from information, information in the second portion for the purpose of decreasing the bandwidth of the line between the bus bridge and the switch module [see Funaya, col.2, lines 63-65).

19. As to claim 5, Hirose, teaches the invention as claimed, further comprising: using a first server and second server [see Hirose, paragraph 0030] (server device); performing said first translation processing in said first server; transferring the information from said first server to said second server; said second server extracting a translation; performing said second translation processing on said extracted parameter in said second server; and transferring the information which has undergone said second translation processing from said second server to said first server (see Hirose, paragraph, 0027] (*the IP address is converted from the global IP address to the private IP address*). However, Hirose does not explicitly disclose a second portion of the communication data and parameter.

20. In the same field of endeavor, Funaya discloses (e.g., Bus switch for realizing bus transactions across two or more buses). Funaya discloses a second portion of the communication data and parameter (see Funaya multiple portions of data in fig.23).

21. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Funaya's teachings of a Bus switch for realizing bus transactions across two or more buses with the teachings of Hirose to have a second portion of the communication data and parameter for the purpose of decreasing the bandwidth of the line between the bus bridge and the switch module [see Funaya, col.2, lines 63-65).

22. As to claim 6, Hirose teaches the invention as claimed, wherein said second server [see Hirose, paragraph 0030] (server device) has a table indicative of parameters which is required a translation, and extracts a parameter which requires a translation [see Hirose, paragraph 0027] (*the Mac address is converted from Ma3 to Ma4*).   However, Hirose does not explicitly disclose a second potion.

23. In the same field of endeavor, Funaya discloses (e.g., Bus switch for realizing bus transactions across two or more buses). Funaya discloses a second portion of the communication data (see Funaya multiple portions of data in fig.23).

24. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Funaya's teachings of a Bus switch for realizing bus transactions across two or more buses with the teachings of Hirose to have second portion of the communication data for the purpose of decreasing the bandwidth of the line between the bus bridge and the switch module [see Funaya, col.2, lines 63-65).

25. As to claim 7, Hirose teaches the invention as claimed, said first server transfer the parameter which requires a translation together with a tag added thereto, said

second portion to said second server, said second server [see Hirose, paragraph, 0030] extracts a parameter which requires a translation from said second portion based on said tag [see Funaya, fig. 1].

26. As to claim 9, Bowman-Amuah teaches the invention as claimed, including a Session Initiation Protocol (SIP) address translator connected to both a first network conforming to a first addressing system and a second network conforming to a second address system, said address translator comprising: a memory part for holding a translation rule for translating said first addressing system to said second addressing system, or vice versa[see Hirose, paragraph 0027] (*the Mac address is converted from Ma3 to Ma4 and Ma4 to Ma3*); a translating part for translating a first address in input information conforming to said first addressing system to a second address conforming to said second addressing system, or vice versa based on said translation rule [see Hirose, paragraph, 0027] (*the IP address is converted from the global IP address to the private IP address*), wherein a communication having information conforming to said first addressing system is detected based on at least one of information of a destination [see Hirose, paragraph, 0014] (*detecting a destination of data to be transmitted*); and a function of outputting said input information and said translation rule[see Hirose, paragraph, 0036](outputted the network though the port). However, Hirose does not explicitly discloses address translator translates, by said address translation function, an address of the communication data to a layer 3 address corresponding to Layer 3 of the Open System Interconnection (OSI) model; address translation function, an address of the communication data

to a higher Layer address corresponding to a Layer higher than Layer 3 of the OSI

model.

27. In the same field of endeavor, Shimadoi et al discloses (e.g., Protocol conversion

system for data communication between different type of open Network).

Shimadoi discloses address translator translates, by said address translation

function, an address of the communication data to a layer 3 address corresponding

to Layer 3 of the Open System Interconnection (OSI) model; and address

translation function, an address of the communication data to a higher Layer

address corresponding to a Layer higher than Layer 3 of the OSI model [see col.

5, line25 to col. 6, line 6]. Accordingly, it would have been obvious to one of

ordinary skill in the networking art at the time the invention was made to have

incorporated Shimadoi's teachings of Protocol conversion system for data

communication between different type of open Network with the teachings of

Hirose to have address translation function, an address of the communication data

to a layer 3 address corresponding to Layer 3 of the Open System Interconnection

(OSI) model, and to a Layer higher than Layer 3 of the OSI model, for the

purpose of raising reliability in the transmission and reception of data [see col. 1,

lines 54-55]. However, Hirose does not explicitly disclose header of

communication data.

28. In the same field of endeavor, Funaya discloses (e.g., Bus switch for realizing bus

transactions across two or more buses). Funaya discloses header of

communication data [see Funaya, col.11, lines 45-50, and col.12, lines 59-61](the

transaction cell is composed of a header).

29. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Funaya's teachings of a Bus switch for realizing bus transactions across two or more buses with the teachings of Hirose to have determining header of communication data for the purpose of decreasing the bandwidth of the line between the bus bridge and the switch module [see Funaya, col.2, lines 63-65).

30. As to claim 10, Hirose teaches the invention as claimed, further comprising a function of receiving said input information having a translated address using said outputted input information and translation rule [see Hirose, paragraph, 0036](outputted the network though the port).

31. As to claim 11, Hirose teaches the invention as claimed, further comprising a communication function for communicating with a server device, wherein said address translator sends said input information to said server device, and received said input information having an address translated by said server device [see Hirose, paragraph, 0014] (*detecting a destination of data to be transmitted*).

32. As to claim 12, Hirose teaches the invention as claimed, further comprising: a function of detecting an SIP communication; and a function of creating translation information including a correspondence relationship between an address in the first network conforming to the first addressing system and an address in the second network conforming to the second addressing system [see Hirose, paragraph 0027] (*the Mac address is converted from Ma3 to Ma4 and Ma4 to Ma3*); in association with said server device, when an SIP communication is

detected [see Hirose, paragraph, 0014] (*detecting a destination of data to be transmitted*).

33. As to claim 13, Hirose teaches the invention as claimed, further comprising a function of detected information for translation included in the SIP communication, and adding identification information to said for translation [see Hirose, parameter 0032].

34. As to claim 15, Hirose teaches the invention as claimed, further comprising: a processing part connected through an internal bus, wherein said input information is sent to said processing part through said internal bus, and said input information having a protocol translated by said processing part is received through said internal bus [see Hirose, paragraph 0027] (*the Mac address is converted from Ma3 to Ma4 and Ma4 to Ma3*).

35. As to claim 20, Hirose teaches the invention as claimed, wherein said address translator sends information in said second region of the communication data with the translation information [see Hirose, paragraph 0027] (*the Mac address is converted from Ma3 to Ma4 and Ma4 to Ma3*); and said information in said second region comprises parameter which requires translation [see Funaya, fig.1].

36. As to claim 21, Funaya discloses the invention as claimed, wherein said address translator sends the information in said second region with a tag added to said parameter by said address translator, wherein said server device extracts the parameter which requires a translation from the second region based on said tag [see Funaya fig.1].

37. As to claim 24, Hirose teaches the invention as claimed, wherein said first server

sends information in with a translation information including a correspondence

relationship between addresses in the first addressing system and address in

second addressing system for translating an address [see Hirose, paragraph, 0027]

(*the IP address is converted from the global IP address to the private IP address*).

However, Hirose does not explicitly disclose a second portion of the

communication data and parameter.

38. In the same field of endeavor, Funaya discloses (e.g., Bus switch for realizing bus

transactions across two or more buses). Funaya discloses a second portion of the

communication data and parameter (see Funaya multiple portions of data in

fig.23).

39. Accordingly, it would have been obvious to one of ordinary skill in the

networking art at the time the invention was made to have incorporated Funaya's

teachings of a Bus switch for realizing bus transactions across two or more buses

with the teachings of Hirose to have a second portion of the communication data

and parameter for the purpose of decreasing the bandwidth of the line between the

bus bridge and the switch module [see Funaya, col.2, lines 63-65).

40. Claims **8, 22, and 23** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Hirose et al., (hereinafter Hirose) U.S. Publication No.2001/0049825A1 in

view of Funaya et al., (hereinafter Funaya) U.S. Patent No. 6,263,393 further in

view of Tsao et al, (hereinafter Tsao) U.S. Patent No. 6,862,274.

41. As to claim 8, Hirose discloses the invention substantially as claimed, information for translator is an address [see Hirose, fig.1]. However, Hirose does not explicitly first portion is an IP header, said second portion is a payload including an SIP message.

42. In the same field of endeavor, Funaya discloses (e.g., Bus switch for realizing bus transactions across two or more buses). Funaya discloses first portion is an IP header, said second portion is a payload including an SIP message [see Funaya, col.11, lines 45-50, and col.12, lines 59-61](the transaction cell is composed of a header).

43. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Funaya's teachings of a Bus switch for realizing bus transactions across two or more buses with the teachings of Hirose to have determining header of communication d first portion is an IP header, said second portion is a payload including an SIP message for the purpose of decreasing the bandwidth of the line between the bus bridge and the switch module [see Funaya, col.2, lines 63-65). Also, Hirose and Funaya do not explicitly disclose one of first protocol and second protocol is IPV4, the other is IPV6.

44. In the same field of endeavor, Tsao discloses (e.g., Method and system capable of providing mobility support for IPv4/IPv6 inter-networking). Tsao discloses one of first protocol and second protocol is IPV4, the other is IPV6 [see Tsao, col.4, lines 3-37](IPv4/IPv6).

45. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Tsao's teachings of a Method and system capable of providing mobility support for IPv4/IPv6 inter-networking with the teachings of Hirose to have one of first protocol and second protocol is IPV4, the other is IPV6 for the purpose of improvement of making the roaming in the networks with different network protocol [see Tsao col.1, lines 22-24].

46. As to claim 22 and 23, Hirose does not explicitly disclose in case of that the addressing system P is IPv4, the addressing system Q is IPv6, and wherein in case of that the addressing system P is IPv6 and the addressing system Q is IPv4.

47. In the same field of endeavor, Tsao discloses (e.g., Method and system capable of providing mobility support for IPv4/IPv6 inter-networking). Tsao discloses in case of that the addressing system P is IPv4, the addressing system Q is IPv6, and wherein in case of that the addressing system P is IPv6 and the addressing system Q is IPv4[see Tsao, col.4, lines 3-37](IPv4/IPv6).

48. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Tsao's teachings of a Method and system capable of providing mobility support for IPv4/IPv6 inter-networking with the teachings of Hirose to have in case of that the addressing system P is IPv4, the addressing system Q is IPv6, and wherein in case of that the addressing system P is IPv6 and the addressing system Q is IPv4 for the purpose of improvement of making the roaming in the networks with different network protocol [see Tsao col.1, lines 22-24].

49. Claims 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hirose

    et al., (hereinafter Hirose) U.S. Publication No.2001/0049825A1 in view of

    Shimadoi et al., (hereinafter Shimadoi) U.S. Patent No. 6,400,729 further in view

    of Yoshizawa et al., (hereinafter Yoshizawa) U.S. Patent No. 6,944,169.

50. As to claim 16, Hirose discloses the invention substantially as claimed, Hirose

    discloses including in a communication network in which a network conforming

    to a protocol P and a network conforming to a protocol Q are interconnected

    through an address translator [see Hirose fig.1], a server device operative in

    cooperation with said address translator, wherein said server device translates an

    address, the address of which has not been translated by said address translator

    using translation rule between the protocol P and protocol Q which is stored in

    said address translator [see Hirose, paragraph, 0027] *(the IP address is converted*

    from the global IP address to the private IP address). However, Hirose does not

    explicitly discloses address translator translates, by said address translation

    function, an address of the communication data to a layer 3 address corresponding

    to Layer 3 of the Open System Interconnection (OSI) model; address translation

    function, an address of the communication data to a higher Layer address

    corresponding to a Layer higher than Layer 3 of the OSI model.

51. In the same field of endeavor, Shimadoi et al discloses (e.g., Protocol conversion

    system for data communication between different type of open Network).

    Shimadoi discloses address translator translates, by said address translation

function, an address of the communication data to a layer 3 address corresponding

to Layer 3 of the Open System Interconnection (OSI) model; and address

translation function, an address of the communication data to a higher Layer

address corresponding to a Layer higher than Layer 3 of the OSI model [see col.

5, line25 to col. 6, line 6]. Accordingly, it would have been obvious to one of

ordinary skill in the networking art at the time the invention was made to have

incorporated Shimadoi's teachings of Protocol conversion system for data

communication between different type of open Network with the teachings of

Hirose to have address translation function, an address of the communication data

to a layer 3 address corresponding to Layer 3 of the Open System Interconnection

(OSI) model, and to a Layer higher than Layer 3 of the OSI model, for the

purpose of raising reliability in the transmission and reception of data [see col. 1,

lines 54-55]. However, Hirose does not explicitly disclose predetermined portion.

52. In the same field of endeavor, Yoshizawa discloses (e.g., Method and apparatus

for managing quality of service in network device). Yoshizawa discloses

predetermined portion [see Yoshizawa, col.13, lines 17-48] (the predetermined

portion of the incoming data packet to be defined anywhere within the data

packet).

53. Accordingly, it would have been obvious to one of ordinary skill in the

networking art at the time the invention was made to have incorporated

Yoshizawa's teachings of a Method and apparatus for managing quality of service

in network device with the teachings of Yoshizawa to have a predetermined

portion for the purpose of minimum bandwidth and minimum delay form the

network [see Yoshizawa, col.1, lines 40-45].

Conclusion

54. Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply is filed

within TWO MONTHS of the mailing date of this final action and the advisory action is

not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than

SIX MONTHS from the date of this final action.

55. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tammy T. Nguyen whose telephone number is 571-272-

3929. The examiner can normally be reached on Monday - Friday 8:30 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, *William Vaughn* can be reached on 571-272-3922. The fax phone number

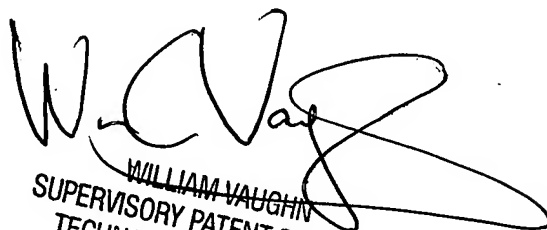for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

Customer Service Representative or access to the automated information system, call

800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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